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20
21 IN THE UNITED STATES DISTRICT COURT
22 FOR THE DISTRICT OF ARIZONA

23 KELVIN D. DANIEL, et al

24 Plaintiffs,

25 v.

26 SWIFT TRANSPORTATION
CORPORATION,

27 Defendant.
28

Case No. 2:11-cv-01548-PHX-ROS

JOINT STATUS REPORT

1 Pursuant to this Court's Order (Doc. 35) at the parties' January 10, 2012
2 Scheduling Conference, the parties hereby submit their Joint Status Report.

3 The parties have engaged in extensive written discovery. Defendant has produced
4 to Plaintiffs over 340,000 pages of documents, as well as two electronic databases.
5 Defendant provided its Rule 26(a) Initial Disclosure Statement to Plaintiffs on January 9,
6 and has produced a total of five Rule 26(e) supplemental disclosure statements to
7 Plaintiffs to date. Defendant responded to Plaintiffs' First Set of Interrogatories on April
8 20, and has provided two amended and/or supplemental responses to those
9 Interrogatories. Defendant responded to Plaintiffs' First Set of Requests for Production
10 of Documents on April 20, and has since provided four amended and/or supplemental
11 responses to those Requests for Production.

12 Plaintiffs provided their Initial Disclosure Statement to Defendant on January 9,
13 2012. On February 20, each of the three proposed class representatives provided their
14 individual responses to Defendant's First Set of Non-Uniform Interrogatories, as well as
15 to Defendant's Requests for Production.

16 On May 21, the parties jointly stipulated to the dismissal of proposed class
17 representative Robert Bell Jr. without prejudice.

18 On June 11 and 12, Defendant took the depositions of the two remaining proposed
19 class representatives, Tanna Hodges and Kelvin Daniel.

20 On June 20, the parties held a meet-and-confer telephone conference to discuss
21 pending discovery considerations. During that call, Plaintiffs requested that Defendant
22 provide information and documentation related to non-driver applicants as part of
23 discovery. Defendant agreed to provide this information, while reserving its right to
24 object to use of the information in the future. In addition, the parties reached an
25 agreement by which Swift will not be required to provide documents related to those who
26 sought employment with Swift before August 9, 2009, two years prior to the date that
27 Plaintiffs' filed their initial Complaint, with Plaintiffs reserving the right to attempt to
28

1 certify a five-year class and to later request provision of this documentation if a five-year
 2 class is certified. The parties also addressed and resolved other pending discovery
 3 concerns and set a preliminary schedule for Plaintiffs to depose various Swift employees
 4 in Phoenix.

5 Since the June 20 call between counsel, Defendant has made several subsequent
 6 productions to further respond to the discovery requests and to address the discovery
 7 concerns dealt with in the call.

8 On August 1 and 2, Plaintiffs are scheduled to depose eight Swift employees,
 9 seven of them at Snell & Wilmer's Phoenix office and the final one via videoconference
 10 from the state of Washington to Snell & Wilmer's Phoenix office.

11 DATED this 25th day of July, 2012.

12 Respectfully Submitted,

13 STUMPHAUZER O'TOOLE MCLAUGHLIN
 14 McGLAMERY & LOUGHMAN CO., LPA

15 /s/ Matthew A. Dooley

16 CONSUMER LITIGATION ASSOCIATES, P.C.

17 /s/ Leonard A. Bennett

18 *Counsel for Plaintiffs*

19 SNELL & WILMER, LLP

20 /s/ Joseph A. Kroeger

21 *Counsel for Defendant*

CERTIFICATE OF SERVICE

I hereby certify that on July 25th, 2012, I electronically transmitted the foregoing document to the Clerk's Office using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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